

### REMARKS

The above-referenced patent application has been amended and Applicants respectfully request reconsideration and reexamination in accordance with the provisions of 37 C.F.R. §1,116(a).

The Examiner rejected claims 1, 3, 4, 7, 8, 10, 12-18, 21-24 and 58-62 under 35 U.S.C. §102(a) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over U.S. Patent 6,084,740 (Leonhardt et al.). Specifically, the Examiner states "...the reference discloses printing to form servo patterns as part of the prior art. See col. 2, lines 5-10..."

Applicants respectfully disagree. Applicants' claim 1, as amended, calls for "...printing on a surface of the non-recording side of the portion of the magnetic tape as the tape passes through the work area the plurality of optically detectable servo tracks."

Applicants are unable to find any mention, description or suggestion of the words "print" and/or "printing" in col. 2, lines 5-10 of Leonhardt et. al. Furthermore, Applicants are unable to find any mention, description or suggestion of the words "print" and/or "printing" in the entire Leonhardt et al. reference.

Applicants note that U.S. Patent 5,067,037 (Godwin et. al) is disclosed in Leonhardt et al. at col. 2, line 9. Applicants are also unable to find any mention, description or suggestion of the words "print" and/or "printing" in the entire Godwin et. al reference. On the contrary, Godwin et. al, in the abstract, discloses "(a) flexible magnetic medium having a plurality of optical servo tracks indelibly marked on the medium and a method for stamping the tracks on the medium. The optical servo tracks comprise a plurality of circular concentric regions positioned on a face of a floppy disk with each circular region comprising a plurality of pits. The optical servo tracks are imprinted on the floppy disk by placing a stamper disk bearing a template of the optical servo tracks in a hydraulic press and pressing the stamper disk and floppy disk together, typically under five to nine tons per square inch of pressure." Thus, pits are stamped into the medium under extreme pressure to form optical servo marks.

There is still no suggestion in Leonhardt et al. or Godwin et al. of printing on a surface of the non-recording side of the portion of the magnetic tape as the tape passes through the work area the plurality of optically detectable servo tracks.

Thus, a person seeking to provide printing on a surface of the non-recording side of the portion of the magnetic tape as the tape passes through the work area the plurality of optically detectable servo tracks would not be lead to Applicants' claim 1 by the teachings of Leonhardt et al. since Leonhardt et al. relates to a system for writing optical servo tracks with a laser beam of light. Further, Leonhardt et al. includes mention of Godwin et al., which teaches stamping pits onto a medium under extreme pressure. Accordingly, Applicants' claim 1 is patentably distinct from Leonhardt et al.

The Examiner states "...the laser beam impressions of the reference are encompassed by the claimed printing."

Applicants respectfully disagree. The laser beam of Leonhardt et al. physically burns off or cuts pieces of the tape to form areas absent of magnetic material on the recording surface of the tape or areas absent of inert material on the non-recording surface of the tape. These areas absent of material are grooves cut in the surface. On the contrary, printing on a surface, as claimed in Applicants' claim 1, forms no grooves. Here again, a person seeking to provide printing on a surface of the non-recording side of the portion of the magnetic tape as the tape passes through the work area the plurality of optically detectable servo tracks would not be lead to Applicants' claim 1 by the teachings of Leonhardt et al. since Leonhardt et al. relates to a system for writing optical servo tracks with a laser beam of light, the laser beam "cutting" grooves into the tape. Accordingly, Applicants' claim 1 is patentably distinct from Leonhardt et al.

Accordingly, claims 1, 3, 4, 7, 8, 10, 12-18, 21-24 and 58-62 are patentably distinct from Leonhardt et al.

Attached is a marked-up version of the changes being made by the current amendment.

Applicant : Hong Chen et al.  
Serial No. : 09/361,669  
Filed : July 27, 1999  
Page : 4

Attorney's Docket No. 06837-121001 / Q01-1058-US1

Applicant asks that all claims be allowed. Enclosed is a \$110 check for the Petition for Extension of Time fee. Please apply any other charges or credits to Deposit Account No. 06-1050, Order No. 06837-121001.

Respectfully submitted,

Date:

July 23, 2001

Kenneth F. Kozik  
Kenneth F. Kozik  
Reg. No. 36,572

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

20291831.doc

**Version with markings to show changes made**

**In the claims:**

Claim 1 has been amended as follows:

1. (Four times amended) A method for producing on a magnetic tape having a magnetic recording side and a non-recording side opposite the recording side, a plurality of servo tracks capable of being optically detected independently from one another, the method comprising passing at least a portion of the magnetic tape through a work area; and printing on a surface of the non-recording side of the portion of the magnetic tape as the tape passes through the work area the plurality of optically detectable servo tracks.